

UNITED STATES DISTRICT COURT
OFFICE OF THE CLERK
WESTERN DISTRICT OF PENNSYLVANIA
319 Washington Street
Johnstown, PA 15901
www.pawd.uscourts.gov

ROBERT V. BARTH, JR.
CLERK OF COURT
412-208-7500

IN REPLYING GIVE NUMBER
OF CASE AND NAMES OF PARTIES

Date: December 23, 2010

Commissioner of Patents and Trademarks
P.O. Box 1450
Alexandria, VA 22313-1450

RE: REMOTE LIGHT WATER, INC. vs. GALLIKER DAIRY COMPANY
Case Number: 3:10-CV-00321-KRG

Dear Commissioner:

In compliance with 35 § 290 and/or 15 U.S.C. § 1116 enclosed is a copy of the docket entries and complaint which was filed in the United States District Court for the Western District of Pennsylvania.

Sincerely,

ROBERT V. BARTH, JR.
CLERK OF COURT

By: /s/ cel

Deputy Clerk

Enclosures

Patent
6,447,720
6,447,721

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

REMOTE LIGHT WATER, INC.,

Plaintiff,

v.

GALLIKER DAIRY COMPANY and
UNITED DAIRY, INC.,

Defendants.

Case No.

JURY TRIAL DEMANDED

COMPLAINT FOR PATENT INFRINGEMENT

Plaintiff Remote Light Water, Inc. complains of Defendants Galliker Dairy Company and United Dairy, Inc., as follows:

1. This is a claim for patent infringement that arises under the patent laws of the United States, Title 35 of the United States Code. This Court has original jurisdiction over the subject matter of this claim under 28 U.S.C. §§ 1331 and 1338(a).
2. Remote Light Water, Inc. ("RLW") is a Delaware corporation with its principal place of business at 8824 Stage Ford Road, Raleigh, North Carolina 27615.
3. On September 10, 2002, the United States Patent and Trademark Office granted U.S. Patent No. 6,447,720 B1 (the "'720 patent'"), entitled "Ultraviolet Fluid Disinfection System and Method" (Exhibit A) and U.S. Patent No. 6,447,721 B1 (the "'721 patent'"), entitled "Drinking Water UV Disinfection System and Method" (Exhibit B) (collectively the "patents in suit").
4. RLW is the owner by assignment of all legal rights, title, and interest in and to the '720 and '721 patents, including the exclusive right to license and enforce the '720 and '721 patents and to collect all damages for infringement. Thus, RLW has standing to sue for infringement of the patents in suit.

5. Galliker Dairy Company ("Galliker Dairy") is a Pennsylvania corporation with its principal place of business at 143 Donald Lane, Johnstown, Pennsylvania 15904.

6. United Dairy, Inc. ("United Dairy") is an Ohio corporation registered to do business in Pennsylvania and operates a processing plant located at 47 W. Craig Street, Uniontown, Pennsylvania 15401.

7. This Court has personal jurisdiction over each of the Defendants because, among other things, they each transact business in this judicial district and have each committed acts of infringement in this judicial district.

8. Venue is proper in this district under 28 U.S.C. §§ 1391(b)-(d) and 1400(b).

9. Galliker Dairy has infringed and continues to infringe at least claims 1, 4 and 5 of the '720 patent by, among other activities, using the Atlantium Technologies Ltd. R Series Hydro-Optic Disinfection products to disinfect and pasteurize water in dairy processing.

10. Galliker Dairy has infringed and continues to infringe at least claims 35, 42, 44, 50, 51 and 59 of the '721 patent by, among other activities, using the Atlantium Technologies Ltd. R Series Hydro-Optic Disinfection products to disinfect and pasteurize water in dairy processing.

11. United Dairy has infringed and continues to infringe at least claims 1, 4 and 5 of the '720 patent by, among other activities, using the Atlantium Technologies Ltd. R Series Hydro-Optic Disinfection products to disinfect and pasteurize water in dairy processing.

12. United Dairy has infringed and continues to infringe at least claims 35, 42, 44, 50, 51 and 59 of the '721 patent by, among other activities, using the Atlantium Technologies Ltd. R Series Hydro-Optic Disinfection products to disinfect and pasteurize water in dairy processing.

13. RLW has complied with the provisions of 35 U.S.C. § 287.

14. Each Defendant's infringement of the patents in suit has been willful, deliberate and objectively reckless.

15. Each Defendant's infringement of the patents in suit has injured Plaintiff and Plaintiff is entitled to recover damages adequate to compensate it for such infringement, but in no event less than a reasonable royalty.

16. Each Defendant's infringing activities have caused irreparable harm to Plaintiff, which has no adequate remedy at law, and will continue to injure Plaintiff, unless and until this Court enters an injunction prohibiting each Defendant from further infringement of the patents in suit.

PRAYER FOR RELIEF

WHEREFORE, RLW respectfully ask this Court to enter judgment against each of the Defendants, Galliker Dairy and United Dairy, as well as their respective subsidiaries, successors, parents, affiliates, officers, directors, agents, servants and employees, and all persons in active concert or participation with them, granting the following relief:

- A. The entry of judgment in favor of Plaintiff and against each Defendant;
- B. An award of damages adequate to compensate Plaintiff for the infringement of the '720 and '721 patents that has occurred, but in no event less than a reasonable royalty as permitted by 35 U.S.C. § 284, together with prejudgment interest from the date the infringement began;
- C. A permanent injunction prohibiting further infringement of the '720 and '721 patents;
- D. Increased damages and attorneys' fees as permitted under 35 U.S.C. § 284 and § 285;
- E. Such other relief that Plaintiff is entitled to under law, and any other and further relief that this Court or a jury may deem just and proper.

JURY DEMAND

Plaintiff demands a trial by jury of all issues properly triable to a jury.

Respectfully submitted,



Douglas M. Hall
John W. McIlvaine
THE WEBB LAW FIRM
700 Koppers Building
436 Seventh Avenue
Pittsburgh, PA 15219
(412) 471-8815
Fax: (412) 471-4094
DHall@webblaw.com

Raymond P. Niro, Jr.
Robert A. Conley
Daniel R. Ferri
NIRO, HALLER & NIRO
181 W. Madison, Suite 4600
Chicago, IL 60602
(312) 236-0733
Fax: (312) 236-3137
RNiroJr@nshn.com; RConley@nshn.com;
DFerri@nshn.com

**Attorneys for Plaintiff,
Remote Light Water, Inc.**

**IN UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

REMOTE LIGHT WATER, INC.,

Plaintiff,

v.

GALLIKER DAIRY COMPANY and
UNITED DAIRY, INC.,

Defendants.

Case No. 3:10-cv-00321-KRG

ORDER OF DISMISSAL WITH PREJUDICE

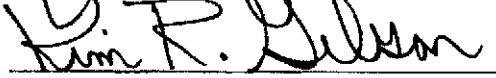
AND NOW, this 24th day of May, 2011, upon consideration of the Parties' Motion, it is
hereby

ORDERED, ADJUDGED AND DECREED that all claims and/or counterclaims that
were brought or could have been brought between Plaintiff Remote Light Water, Inc. ("Remote
Light") and Defendants Galliker Dairy Company ("Galliker") and United Dairy, Inc. ("United
Dairy"), are hereby dismissed with prejudice.

It is further ORDERED that each party shall bear its own costs, expenses and attorneys'
fees.

Dated: May 24, 2011

BY THE COURT:


Honorable Kim R. Gibson